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March 12, 2020

VIA ECF

Honorable Robert W. Lehrburger
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

RE: Kennin Dwayne Jackson v. Tsoi #19014,
18 Civ. 09463

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney representing defendant New York City Department of Correction (“DOC”) Officer Tsoi in the above referenced matter. DOC Officer Tsoi writes to respectfully request that her responses to the Local Civil Rule 33.2 discovery requests be due to Plaintiff on March 26, 2020.

By way of background, on October 15, 2018, Plaintiff filed the Complaint, alleging civil rights violations against DOC Officer Tsoi. (See Dkt. No. 2.) On October 18, 2018, the Court requested DOC Officer Tsoi waive service of summons. (See Dkt. No. 10.) In addition, the Court ordered that “[w]ithin 120 days of the date of this order, Defendant must serve responses to” Plaintiff’s Local Civil Rule 33.2 Interrogatories and Requests for Production of Documents (*i.e.*, by February 15, 2019). (See id.)

However, on January 25, 2019, the Office of the Corporation Counsel (“Corporation Counsel”), an interested party, requested a stay of all pending deadlines and conferences pending the conclusion of DOC’s investigation into the alleged incident. (See Dkt. No. 28.) On January 28, 2019, the Court granted the City’s request, staying and adjourning all deadlines *sine die* until the DOC investigation concluded. (See Dkt. No. 30.) Thereafter, Corporation Counsel filed multiple updates concerning the status of DOC’s investigation. (See Dkt. Nos. 33, 35, 38, 41, 43.)

On January 29, 2020, Corporation Counsel, among other things, informed the Court that DOC's investigation was complete. (See Dkt. No. 49.) Thus, on January 30, 2020, the Court lifted the stay of this case and on February 28, 2020, DOC Officer Tsoi filed her Answer. (See Dkt. Nos. 50, 52.)

However, because the Court had stayed and adjourned all deadlines *sine die*, the Court's initial deadline for DOC Officer Tsoi to respond to the Local Civil Rule 33.2 discovery requests was also stayed, and no new deadline has been set. Thus, DOC Officer Tsoi respectfully requests that her responses to the Local Civil Rule 33.2 discovery requests be due to Plaintiff on March 26, 2020.

DOC Officer Tsoi thanks the Court for its consideration.

Respectfully submitted,

/s/ Nicolette Pellegrino
Nicolette Pellegrino
Assistant Corporation Counsel
Special Federal Litigation Division

CC: VIA FIRST CLASS MAIL
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SO ORDERED:

 3/13/2020
HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Copy mailed by chambers
to Plaintiff.